THE HIGHER COURTS.

Synopses of Decisions Rendered at the Present Austin Sitting of the Higher Courts of Texas.

Sapreme Court and Court of Appeals Findings-Motions Overraled in Tarrant County Oases.

Court of Appeals.

correspondence of the Gazette AUSTIN, TEX., April 26,-Fogg vs. the State, from Tarrant; motion for rehearing. At a former day of this term the appeal in this case was dismissed on only two seriously. motion of the Assistant Attorney-General because the recognizance does not recite the offense of which the defendent stands charged; and because no offense is recited at all. The recognizance recites the offense as unlawfully carrying a pistol. The motion for rehearing is based on the s pistol," and there being only one unlawful mode of carrying a pistol, "the charge of unlawfully carrying a pistol" does necessarily recite an offense against the law. Held by the court: Unlawfully carrying a pistol is an insufficient recital of an offense in a recognizance. Motion overruled.

V. G James vs. the State, from Lamar county, three cases. At a former day of this term, the appeal in these cases was dismissed on motion of the assistant Attorney General, because the recognization of the local option law, and the recognization recities that he stands charged with selling intoxicating liquors. Held by the court: That the recognizance does not court: That the recognizance does not court: That the recognizance does not court to the local options are commend it. Take no other. Rangua Bottom of the liquid in the information of the local options are commend it. Take no other. Rangua Bottom of the liquid in the information of the local options are commend it. Take no other. Rangua Bottom of the local option of the local options are commend in the local options are commend in the local options are commend in the local options are commended in the local option of the local option of the local option is a local option of the local option of the local option is a local option of the local option is a local option of the local option is a local option option option is a local option option in the local option is a local option option option is a local option option option is a local option option option option option is a local option o tion or any offense. Motion for rehear-

Lee Levi vs. the State; from Tarrant county. Appeal in this case was dismissed at a former day of this term, on the same grounds and being in respects like the case of Fogg vs. the State, above. The motion for rehearing stating the same grounds as in that case, the court decides as in that case, that the recognizance was insufficient, in that it does not recite a specific offense. Unlawfully carring a platol is insufficient Motion overruledd.

Supreme Court. Correspondence of the Gazette.

AUSTIN, TEX., April 27 .- J. E. Hender son vs. Anglo American Land and Claim Association; from Dallas. Action by appellee, who claimed to be the holder of a written instrument, promising to pay \$500, and such facts are alleged, as would entitle it to the judgment rendered in its favor in a court having jurisdiction. Many questions are presented. But the action is to recover exactly \$500, and was brough in the District court, which had no jurisdiction of the case. Reversed and dismissed. Stayton, Chief Justice. Missouri Pacific Railway Company vs.

J. W. Johnson; from Collin. Action by Johnson to reco er from the railroad company the value of certain wheat delivered to the railroad company for shipment and alleged to have been lost in transit: the claim was, that each consigument as delivered to the consignee fell short of the amount actually received by the company for shipment. For the error of the court in admitting the plaintiff to testify from the books of the transactions with which he had no personal knowledge, and in admitting the book in evidence as to such transactions, the case is reversed

ment of all vs. Appleby et al, from Falls codu.y. The appellants sued for a part of the league and labr patented in the langue and labr patented in the labr patented in the langue and labra patented in the labra pate say. The testimony was to a vital part of the case and th uld have been excluded, and its admission was error. R.versed and remanded. Walker, Justice.

Fore & Henderson vs. Hitson & Ried; from Tarrant county. This case grows out of the following facts: Morphy, The National Improved Telephotes Depresident of the Texas Investment Company, made the contract and bond sued on for the delivery of 1500 head of cattle to Hitson & Reid, and to the bond made Morphy signed as security the firm name of Fore, Morphy & Henderson. Morphy made no declarations to Reid, who acted in the business for Hitson & Reid, as to having authority to sign the name of such partnership. It appeared that the partnership had een formed only to fill con-tract for delivery of cattle to Stone Cattle and Pasture Company, and its cutingance was only in set-tling no the debts of that corcern; suit was brought on this coligation against the Texas Investment this suit. William Grant is appointed Company, and against J. P. Smitn and master to ascertain the costs and dam-Pore, Morphy & Henderson as suret

The defendants, Fore & Henderson, atswered separately, and pleaded nonest factum; that there was no such parishership as Fore, Morphy & Henderson, The pleadings were verified—judgment against all the defendants. Held: There is no testimony in the record at all as to authority by Fore, Henderson & Morphy to sign their names as sureties to the to sign their pames as sureties to the out, or to use as basis of credit for the Investment Company, the firm name of Fore, Morphy & Henderson. The charge of the court was not applicable to the tes imony; the testimony did not support the verdict; a new trial should have been Reversed and remanded. Walker, Justice.

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Turn Over Mee.

By doing so you increase your provisions and leases the cost.

A CONFEDERATE O. A. R.

A CONFEDERATE G. A. R.

Gineral Joseph E Johnston Elected a Honorary Member.

PHILADELIPHIA, PA., April 28.—The and that General Joseph E. Johnston, highest in rank of the living officials of the Confederate army, was on Thursday night last unanimously elected honorary mem. let manimously elected honorary member of E. D. Baker Post No. 8, Grand Army of Republic of this city. The election was brought about upon the receipt at latter of the city a letter reading: "For the purpose of sabling me to participate in the noble but of charity performed by the comof the Grand Army of the R>hite. I hereby make application for hiteraphip in your post. Inclosed

and the sum of \$10 tor one year's etition was unaccompanied by any Try som ommunication, and when pre-pleases

sented to the members of the post for their consideration it went through with a rush, amid the cheers of 200 veterans present. General Johnston is the only ex-Confederate soldier who has ever been received into the ranks of a Grand Army post.

Passenger Train Ditched. Olkan, N. Y., April 28.—A Western New York and Pennsylvania train going south was ditched this morning near

White House, six miles from here. Four persons were killed and thirty-five others are reported injured. The doctors have of for the scene of the wreck.

Later advices from the Western New York and Pennsylvania wreck say that no one was killed. Ten were injured, but

FOUR PERSONS DROWNED.

Three Young Ladies and One Man Find Watery Graves.

PORTLAND, OREGON; April 28 .- News has just been received here of a fatal acposition "that it is against the laws of cident which occurred on the Sillaguam-Teras for any person to unlawfully carry ish river in Washington Territory, near the lown of Stanwood, in which the lives of three young women and one man were lost. They were crossing the river in a cance, which ran into a ripple and becoming unmanageable capsized, throwing the occupants into the water and they were drowned. The names of the persons lost

> Lizzie Wheeler, aged 18. Emma Thompson, aged 16. Allen Aldredge, aged 17.

Asparagus and new potatoes, the first of the season, at the Fort Worth Grocer at this date. Foreign goods are in limited movement and the demand is only

ON WALL STREET.

Ba'urday's Steek Market Characterised

Sterling dull. Wheat firm.

Cotton steady. OII 85. Com to declined.

Wool is quiet and little charged the past week.

Hides dull and steady. GOVERNMENTS, STOCKS AND BONDS. New York, April 28. - The stock market to day was very active and strong throughout the session, there being no interruption of the advance worthy of name from the opening to the close, and leaving prices in most of the list at about and remanded. Gaines, Justice. the highest for the week. The opening head et al vs. Applieby et al, from Falls was strong at advances over last eventhe highest for the week. The opening

Turn Over May Your trade to the Fort Worth Grocer Co. By doing so you increase your provisions and less on the cost.

TELEPHONE JUDGMENT.

clared to Be an Infriegement. NEW GRLEAM, April 28 -Judge Don A. Pardee of the United States Circui court yesterday rendered a decree on the final hearing in the case of the American Bell Telephone Company et al vs. the National Improved Telephone Company in equity. The court decides that the telephones used by the defandants are an infringement on the Bell patents, and orders that all such instruments be delivered to the clerk of the court subject to further orders, and gives the complain-ants a judgment sgales; defendants for all costs, charges and disbursements in

The finest you ever saw at the Fort Worth Grocer Cors. All new veget were very reasonable, try them in your next

Indicied for Murder.

Special to the Gazette. PALESTINE, TEX , April 28 -The grand jury this morning returned a bill of indictment against George D. and John Hanter, charging them with the murder of Colonel T. J. Williams. The killing occurred in February last as previously reported. The parties entered recogniz-ances in the sum of \$2000 each.

Soda fountain for sale cheap, at the Fort Worth Grocor Co's. Call early.

Good times a coming. Splendid bar-gains this week at landsil & Chambers Co's. This is the pure natural made honey, and possesses no differation whatever. Try some with We guarantee it will please to Forr Worrn Groces Co.

UN 'CHANGE.

Spot Cotton Unchanged, Futures from One to Four Points Higher.

Wheat Opened Firm, Finetuated Narrow! and Closed as an Advance-Live Stock Transactions Briss.

Dally Beview.

FORT WORTH, TEX., April 28, 1888 The rain of the past three days has caused a considerable dimunition in the volume of retail trade, preventing farmers to come to market, and compelling citizens to stay indoors; but no remarksble scarcity of produce has been caused, the market having been kept supplied through the express companies. Wholesale trade has retained its brickness through the week.

DRY GOODS AND CLOTHING.

A rather light volume of business is reported at New York this week. The demand from agen's was only moderate, and jobbers reported general trade rather slow, except where drives in job lots were being made. Prices show the . E.cts of the lull in demand, especially in the case of low mediam grade prints and some varieties of bleached goods. Job-

bers are willing buyers of any small lots which are being disposed of at price concessions to close out stocks. Standard makes of ginghams and brown cottons; ar', as a rule, well controlled by agen's and prices evince steadiness. Dress goods are in moderate demand with sgen s and in fair movement with jobbers In woolens the business done in tall weights me, 's wear is light Deliveries on orders are of liberal volume. For some varieties of dress goods orders have been booked fully equal to #95:

The Port Worth Mubbate.

[Bradstreet's.

BUTTER -25c per B.

sufficient to satisfy immediate wants .-

BUTTER -25c per B.

OOTTON-868%.
COFFEE-Bio, fair 15%c; prims 16%c17c; nonce 1%c18c. tanoy 19%c; Java 26c; colden Ric 19%c; Pea Herry 10.

CHRESE-Full cream twins 14%c15c.
CARRAGE-Northern, per crate, at 5%.
CANNED GOODS-Prices per comen. Pinsand Denver the Feature.

COMMERCIAL RESUME.

Pecial to the Gazette.

NEW YORK, April 28 —Reliway bonds to-day closed as follows: Fort Worth and Denver City at 85%; Texas and Pacific Terminals at 64; Rios at 73½; incomes 110cs 19%c; peaches, standard, 2 hs 51 0 c105. 3 hs 51 3cc 135; peaches, st

DRY GOODS-Price list of spring and summer, 1888:

Prints—Allen's fancy, 6c; Allen's Turkey red an black, 6%c; American robes, 6c; American indigoes, 7c; Berlin colids, 6c; Berlin oils all colors, 7%c; Berwicz fancies, 4%c; Charter Oat, 5c; Dunneil fancies, 6c; Eddystone fancies, 6%c; Gloucester faccies, 6c; —loucester silver grey, 6c; Harmon fancy, 5c; Hartel fancy, 6c; Hamilton fancy, 6c; Sintenson seiver greys, 6%c; Sinterson silver greys, 6%c; Siater solids 6c; Washington gingham styles, 6%c; Windsor sliver greys, 6c; Windsor fancies, 6%c.

cles, 6%c.

Ginghamps—Bates staples, 7%; Caledonia,
7%; Champion dress styles, 7%; Cotumbia dress
styles, 7%; Dundee fancies, 7%; Empire bourettes, 8. Greylock dress styles, 10%; Greylock
novelties cords, 12%; White Manufacturing
Company staples, 7%; Waltham dress styles,
7%; Valencia fancies, 7%; Worthington dress,
8%; Yara plaids, 8%;
Chicago and Alton
Chicago Sand Chicago Sand

Lima beans, in eachs. 5%c; imported handplaked medium beans, 4%e4%c; California
grapes, 16%c per b.

FILOUR—Best patents, 22.75 per 100 lbs; half
istents, 22.66g-third grade, 22.25. Buckwhees
flour 1875 cases, 35.50; 32.50 cases, 35.10.

**The McAllister coal, car load on traca, at
rard \$5.00, delivered \$6.50; McAllister coal, 5 to
10 tone, at yard \$5.25, delivered \$6.75, delivered
\$7.16; highlister coal i ton, at yard \$6.75, delivered
\$7.16; highlister coal i ton, at yard \$6.75, delivered
\$7.16; highlister coal i ton, at yard \$6.75, delivered
\$7.16; McAllister coal, % ton, at yard \$3.50,
delivered \$4.00; McAllister coal, k ton, at yard
\$1.75, delivered \$2.10; McAllister coal, best than
x ton per 100, at yard \$6.25, delivered 213.00,
Pennayivania hard coal, 1 ton, at yard \$1.75, delivered \$1.50; Pennsylvania hard coal, %
on, delivered \$6.75; bhekamith coal, 1 ton, at
yard \$1.20, delivered \$1.250; children
\$11.00; % ton, \$5.75; % ton, \$5.10. English grate
coal, per ton at yard, \$8.50; delivered, \$9.00;
pur % ton at yard, \$2.25; delivered, \$2.50.

Gord wood, 1 cord, delivered \$2.50.

Gord wood, 1 cord, delivered \$2.50.

Grat wood, 1 cord, delivered \$1.50.

GRAIN AND FEFDSTUFFS—Quotations be-

GRAIN AND FEEDSTOFFS—Quotations be-low are on grain from store. In car-load lots sorn and outs are to per buscel lower than

Gorn-in ear, 70c; bulk shelled, 70c; sack

Barley-300 per hundred.

Barley-300 per bushel.

Rve-300 per bushel.

Rve-300 per bushel.

137 0005 00; Johnson grass

138 50; best prairie hay, \$8 0009 50 per 100.

balled; alfaifs, retail, 15%c per B; alfaifs,

oose, \$15 00 per ton.

Johnson grass seed.

Money Market Easy.

10 00 per head; Texas mares, 1s to 1n hands high, unbroker, \$30 00@40 00 her head; Texas mares, 15 to 16 hands high, unbroken, \$40 00@50 00 per head; Texas horses, 13 to hands high unbroken, \$30 00@50 00 per head; Texas horses, 14 to 15 hands high, unbroken, \$30 00@50 00 per head; Mexican horses, 13 to 14 hands high, unbroken, \$10 00@50 00 per head; Mexican horses, 14 to 15 hands high, unbroken, \$25 00 per head; Mexican horses, 11% to 14 hands high, unbroken, \$25 00 per head; Mexican mules, 11% to 14 hands high, unbroken, \$25 00 per head; Mexican mules, 11% to 14 hands high, unbroken, \$25 00 per head; Mexican mules, 15 to 16% hands high, broke, \$50 00 per head; Mexican mules, 15 to 16% hands high, broke, \$100@176 00. From \$2 to \$5 additional for thoroughly broke stoer.

HIDES AND SKINF-Dry butchers' hides, c per B; dry fallen, 7c; light damaged, 5c; pulsated 6c; buil hides 6; green salted 4c; butchers' green \$25 c; shearlings 20c; pelis 40@75c.

MOLABSTS-Fancy rebulled 44@ 0c; choice.

MOLASATS—Fancy rebotted 43@ 0c; choice rebotted 33@ 15c; fair centrifugals 26:00; common centrifugals 24

centrifugats Respect common centrifugats 2.5.

NUTS — Peanuts, 5e 54: pecans 4% 26c; almonds, 13c; Brazil nuts, 13c per B; Sherits 13c per B; English walnuts, 15c per B.

NAILS—33 35 per ksg, basis 10d; burden horseshoe per kog 55; Ferkins, same, 45 90; Walker, same, 35 50; burden nuts 45; north western borseshoe nails, No. 4, 50c; No. 5, 26c; No. 7, 11c; No. 8, 10c; "Lake's" No. 4, 45c; No. 5, 26c; No. 6, 20c; No. 7, 10c; No. 8, 10c; No. 7, 19c; No. 8, 18c.

PROVISIONS—We quote on the basis of carlots:

tanc; 6% 26%c. Sundries—Starch, pearl, 3% 23%; lump, 3% 6 Sundries—Starch, pearl, 3% 23%; lump, 3% 6

fancy, 11% 211c.
Rice-Prime 626%c; choice 6% 26%c.
FOULTRY-We quote: Young rying chickens
\$2.75 per dox; old hens \$2.75 per dox; turkeys
\$1.0021 10 each.
WHISEY-Rectified \$1.02150, as per proof;
sour mesh, two years old, \$1602170; three
years old \$130220; fancy extra old whish
\$5.0025 00. WOOL-Light medium, 16:e18c.

FINARUIAL.

ENGLISH CONSOLS.

LONDON, April 28.-Consols closed at 99 13-1 for money; silver 429-161.

for money; silver 429-161.

MONSY.

NEW YORK, April 23.— Money on call easy at 14@2p-r cent, last loan 13/ per cent.; closed at 2 per cent.

at 2 per cent.

BONDC.

NEW YORK, April 28 - Bonds and stocks closed at the following prices bid:
United States 4's, coupon 126%
United States 4's, coupon 167%
United States 4's, coupon

 Oentral Pacific
 323

 Chloage and Alton
 146

 Chloage, Burlington and Quincy
 125

 Delaware and Lackawanna
 13

 Denver and Rio Grande
 18

 Eric common
 26

 date
 2,406,451

 Same day last year
 2,518,685

Liverpool.

Liverpool. April 28.—Ootton—Spot closed steady and unchanged.

Ordinary 415 164; good ordinary 5 1-164; low middling 0-164; middling Ordens —d.

Total sales 10,000; american 7300.

Imports, 7000; American 7700.

Futures closed firm and 1 point higher.

Difference decrease..... 111,647

Is the three monine we where upward of 2-0 grants, and in three monine we where any of us in dance from this cuoning and ferocious beast. The summer had been the to the hank and we had been making e cur-tons from that spot for three of four days, when, one afternoon, when only one of the young men had been left to hind at the fire on the bank, a jaguar crept up and sprang ubos him. It was a wonderful spring, as we afterwards discovered. From the soot where the beast crouched to the thack where he aligned on his victim was just twenty six feet. The young pan was kneell g down and bend invover a specimen which he was examining, and the jaguar fell on his back are seized him by the right shoulder. The man w ighed almost 150 p ands and was a rouscula fellow, but he jaguar trotted of with him as if he had been a shoal error mut on as ill ing t e body endirely clear of the ground, but dargeting it along. Fortunstary for the vit the the forest was very dense just there, and the beast had to take one of several pa he leding shound it. He has not gone above 500 feet when he was met by one of the party on his way back to be coat. The jaguar sprang for a limb ten jest above his head, will so did to be wan, and analy was his was defined as the was to receive a builet in the head. It mays ghe miffit to devere wunds on the sound man with his claws. Buy your drugs mus me iclines and have your mescriptions filled at the Fort Worth Pharmacy Company. We sil and use only the bast let Solia, sure fruit judges made by ourselves. Best clay a at lowest prices. A good retal cross for falls a unemake a paid in a cook ing store is like a cook ing store is like a cook ing store every good goods for the price. Dut, seementar in medicine; e oscanize seems where else. Our next storm period is about Ma, 5, were weather will come before it and cool weather after it.

Fort Worth Pharmacy Company, Fifth and Main Streets,

SALES OF GRAND REPUBLIC CIGARROS FOR 1887. 18,000,000. EIGHTEEN MILLION. 18,00

There has never been placed on the market a cigar that has attained the reputation and kept up to the standard for three years that the GRAND REPUBLIC CIGARROS have, and the trade and cons mers can rely upon our keeping up to the standard as long as we manufacture them. They have become as staple as sugar and coffee all over the United States, and no dealers stock is complete without them. Wholesale agents,

JOSEPH H. BROWN and CASEY & SWASEY, FORT WORTH, TEXAS.

er sold at Retail by all First-Class Dealers. To COIT & CO'S HONEST HOUSE-PAINT

Honest, durable Paint must win in the long mas. On this theory we manufacture our Pure, Mixed House-Paint. Only honest, genuine linsered-oil used in its manufacture of the Latest Styles, permanent, and up with the times. If our statements are questioned, investigate thoroughly.

COIT & CO. of CHICAGO, Manufacturers

HENRY CLEWS & CO

BANKERS, 13 & 15 BROAD ST., N. Y.

-MEMBERS OF THE-NEW YORK STOCK EXCHANGE. NEW YORK PRODUCE EXCHANGE. NEW YORK COTTON EXCHANGE. NEW FORK COFFEE EXCHANGE. CHICAGO BOARD OF TRADE.

Transactions made at any of the above Ex-changes and carried on margin for customers In erest allowed on deposit accounts.

GALVESTOF, TEX. April 28 — Cetion—Spet closed firm and unchanged. Gross receipts, 407. Sales, 127. Ordinary, 7c., good ordinary, 7 7-16c; low-middling, 9 5-16c; middling 9Xc; good middling, 10c; middling fair 16Xc.

GENERAL MARKETS.

Section, P. 19. Section, P. 19

The Coffee Market. GALVESTON, TEX., April 28 .- Coffee - Un-Live Stock Markett.

St. Louis, Mo., April 28, Cattle—Receipts 1'0; shipments 500; market steady, at yesterday's figures; heavy native steers \$4 40%5.00; fair to good native steers \$3 8024 45; butchers' steers, medium to choice, \$3 1024 00; stocalers and feeders, fair to good, \$2 100% 20; rangers, ordinary to g ed. \$2 2024 00. Hogs-Receipts 500; shipments 1600; market easy, ranging from \$5 00 to 5 30. Sheep-Receipts 200; shipments 100; merges steady: fair to fancy 24 0026 00. 100; merret steady; fair to fancy \$4.00 s6.00.

Kansas Offr, Mo., April 28.—Dattie—Roccipis \$00; shipments none; the market was about steady; good to choice corn-fed steers \$4.1564.85; common to medium \$3.064.00; stockers \$2.0062.90; feeding steers \$5.003.60; oows \$1.5063.50. Hogs—Roccipis 5500; shipments \$2.5063.50. Hogs—Roccipis 5500; shipments \$2.5063.50. Sheep—Reccipis \$2.503.80. Sheep—Roccipis \$2.503.80. Chicago, ILL., April 22.—Cattle—Reccipis \$10,000; market steady; steers \$3.7564.50. Sheep—Roccipis \$2.503.80. Sheep—Roccipis

Above Goods Kept in Stock and Warranted by Cameron & Tatum'lFort Worth, Texas-I have recently perfected arrangements with one of the best packing housening America for their product of Fai cy Mea's, consisting of Hams, Breakfast Bacon, Clear Sides and Beef Hams, which I will handle

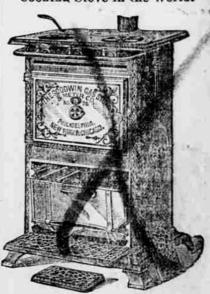
THE SILVER SHIELD BRAND.

These goods are equal, if not superior, to those sold by any packer of first-class goods in the United S. a.es. I have on hand and will at all times carry a full stock, and solicit a trial erfor from you, feeling assured that you will continue to call for the Silver Shield Brand. I guarantee that a uniform standard of excellence will be

JOSEPH H. BI

THE MARTIN-BROWN





E. M. MILLER & CO, S CARRIAGE, Quincy, Ill. E.H. KELLER,

Agent, Fort Worth, Tex. EAK, UNDEVELOPED PARTS

er at all hour. We have made special beginnents to the accommodation of the special state. Markle & Haywaker BLACK LAND BARGAIN